

## **United States Patent Application**

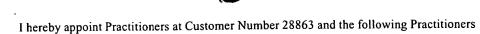
## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and that I believe I am an original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: HELICAL DRIVE INSERTION AND EJECTION

The specification of which				
a. 🛛 is attached hereto				
	Priorition	amended on (if applica		
c. 🔲 was (in the case of a PC)	Γ-filed application) described and cl	aimed in international no.	filed and	as amended on
if any), which I have reviewed	l and for which I solicit a United Sta	ites patent.		
	wed and understand the contents of	the above-identified specification	ition, including the c	laims, as amended by
any amendment referred to abo	ove.			
r1	lose information, which is material t	a the notentability of this ann	dication in accordance	re with Title 37 Code
of Federal Regulations, § 1.56		o the patentability of this app	meation in accordance	% with Title 37, Code
of redetal Regulations, § 1.30	(attached hereto).			
Lhereby claim foreign priority	benefits under Title 35, United State	es Code, § 119/365 of any for	eign application(s) f	or patent or inventor's
certificate listed below and hav	ve also identified below any foreign	application for patent or inve	ntor's certificate hav	ing a filing date before
	asis of which priority is claimed:			
<b>.</b>				
a. 🛛 no such applications hav				
such applications have b	een filed as follows:			
T FOREIG				
FOREIG	GN APPLICATION(S), IF ANY, C	LAIMING PRIORITY UND	ER 35 USC § 119	
COUNTRY	APPLICATION NUMBER	DATE OF FILING	DATE OF I	SSUE
		(day, month, year)	(day, month	, year)
in the second se				
F H				
Q ALL FOREIG	GN APPLICATION(S), IF ANY, FI	LED BEFORE THE PRIOR	TY APPLICATION	(S)
COUNTRY	APPLICATION NUMBER	DATE OF FILING	DATE OF I	II.
		(day, month, year)	(day, month	, year)
1722				

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS





Second Given Name

Steven J. Shumaker	Reg. No. 36,275	Daniel J. Hanson	Reg. No. 46,757
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Daniel G. Chapik	Reg. No. 43,424	Allen J. Oh	Reg. No. 42,047
David L. Clark	Reg. No. 37,082	Allen M. Lo	Reg. No. 37,059

as my/our attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Shumaker & Sieffert, P.A. to the contrary.

Please direct all correspondence in this case to:

Family Name

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Full Name

Thereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are paintshable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

First Given Name

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Signa	ature of Inventor	April / mg	Date:	6 fue 0/
				· 0 /
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Sign	ature of Inventor	and the	Date:	10/05/01

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Signature of Inventor	TORRE	Date:	8122101

## §1.56 Duty to disclose information material to patentability.

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or

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the dealing in the case of the office of the patentability of a claim that is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
  - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
  - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;
    - (2) It refutes, or is inconsistent with, a position the applicant takes in:
      - (i) Opposing an argument of unpatentability relied on by the Office, or
      - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the



-specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
  - (1) Each inventor named in the application:
  - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.